In the High Court of Judicature at Madras

Dated: 12.01.2007

Coram:

THE HON'BLE MR.JUSTICE P.SATHASIVAM

AND

THE HON'BLE MR.JUSTICE N.PAUL VASANTHAKUMAR

Writ Petition No.1285 of 2007

and M.P.No.1 of 2007

A.Jaichitra Devi ..Petitioner

..vs..

1. Chennai Metropolitan Development Authority,
represented by its Member-Secretary,
No.1, Gandhi Irwin Road,
Egmore, Chennai-600 008.

2. Corporation of Chennai,
rep.by its Commissioner,
Ripon Buildings,
Park Town, Chennai-600 003. ..Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the 1st respondent to refer the petitioner's building put up at door old No.129 and 130, Rasappa Chetty Street, Park Town, Chennai-3, to the Monitoring Committee and direct the respondents to forbear them from interfering with the petitioner's building in any manner particularly by way of demolition of any portion or portions thereof pending decision of the Monitoring Committee.

For Petitioner : Mr.D.S.Rajasekaran

For Respondents : Mr.J.Ravindran for R1
Mr.G.T.Subramanian for R2

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ORDER

(Order of the Court was made by P.SATHASIVAM, J.,)

The petitioner has approached this Court to issue a Writ of Mandamus, directing the first respondent-C.M.D.A., to refer the

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petitioner's building put up at old door No.129 and 130, Rasappa Chetty Street, Park Town, Chennai-3 to the Monitoring Committee and direct the respondents to forbear them from interfering with petitioner's above said building in any manner, particularly by way of demolition of any portion or portions thereof pending decision of the Monitoring Committee.

2. On direction, Mr.J. Ravindran takes notice for the 1st respondent.

3. It is brought to our notice that on 08.12.2006, the petitioner made a request to the 1st respondent seeking for regularisation under the Regularisation Scheme, the necessary records of which have already been submitted on 29.06.2002, as stated in the paper publication.

4. In view of the fact that the petitioner has approached the 1st respondent, we are of the view that ends of justice would be met by directing the 1st respondent to consider the representation of the petitioner dated 08.12.2006 and if he satisfies the required conditions, it is for the 1st respondent to refer the claim of the petitioner before the Monitoring Committee for passing appropriate orders within a period of eight weeks from the date of receipt of a copy of this Order.

Writ petition is disposed of accordingly. No costs. Consequently, M.P.No.1 of 2007 is closed.

gl

Sd/
Asst.Registrar (Pondy)

/true copy/

Sub Asst.Registrar

To

1. The Member-Secretary,
   Chennai Metropolitan Development
   Authority,
   No.1, Gandhi Irwin Road,
   Egmore, Chennai-600 008.

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2. The Commissioner,
   Corporation of Chennai,
   Ripon Buildings,
   Park Town, Chennai-600 003.

+ 1 C.C.TO.MR.D.S.RAJASEKARAN SR.NO.2606

+ 1 C.C. TO MR.J.RAVINDRAN SR.NO.2744

+ 1 C.C.TO MR.J.RAVINDRAN SR.NO.3363

+ 1 C.C.TO MR.G.T.SUBRAMANIAN SR.NO.2546

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